

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

WALGREEN CO.,)
Plaintiff,)
v.) C.A. No. 14-125-GMS
SHOPKO STORES OPERATING CO., LLC)
and MSCRIPTS, LLC,)
Defendants.)

**STIPULATION AND (PROPOSED) ORDER OF DISMISSAL WITH PREJUDICE
PURSUANT TO FED. R. CIV. P. 41(a)(1)(A)(ii)**

IT IS HEREBY STIPULATED AND AGREED by and between Plaintiff Walgreen Co. (“Walgreens”) and Defendants ShopKo Stores Operating Co., LLC and mscripts, LLC (“Defendants”), through their undersigned counsel and subject to the approval of the Court, that the above-captioned action, including all claims by Walgreens against Defendants and all counterclaims by Defendant mscripts, LLC against Walgreens, are dismissed with prejudice pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii).

IT IS FURTHER STIPULATED AND AGREED that each party shall bear its own costs, disbursements and attorney’s fees incurred in connection with the dismissed claims and counterclaims.

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Attorneys for Defendants
Shopko Stores Operating Co., LLC
and mscripts, LLC

ORDER

IT IS HEREBY ORDERED, this 17th day of Nov., 2014, as follows:

1. The above-captioned action, including all claims by Walgreens against Defendants and all counterclaims by Defendant mscripts, LLC against Walgreens, are dismissed with prejudice pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii); and
2. Each party shall bear its own costs, disbursements and attorney's fees incurred in connection with the dismissed claims and counterclaims.

Honorable Gregory M. Sleet
United States District Judge